

## **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-2, 4, 10-24, 55-56, 58, 72-114-215, and 236-255 were pending in the application, of which Claims 1, 55, 72, 210, and 252-255 are independent. In the Office Action dated May 28, 2009, Claims 1-2, 4, 10-24, 55-56, 58, 72-114, 116-215, and 236-255 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-18 and 20 remain in this application. Applicants hereby address the Examiner's rejections in turn.

### I. Change to Attorney Docket Number

Please note that the Attorney Docket Number for this application is now 60374.0033US01/A-6886.

### II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated May 28, 2009, the Examiner rejected Claims 1, 2, 4, 20, 55-56, 72-79, 86, 90-92, 127-128, 135, 160-161, 167, 171, 173-174, 210-214, 228, and 236-247 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206) and *Tsang et al.* (U.S. Pub. No. 2006/0212919) and further in view of *Schwartz* (U.S. Pub. No. 2009/0077647). The Examiner rejected Claims 10-12, 149-150, and 156 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. Pub. No. 2005/0028206), *Tsang et al.* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Na* (U.S. 6,993,785). The Examiner rejected Claims 13-19, 21-24, 58, 80-85, 87-89, 130-134, 136-138, 165, and 169 under 35 U.S.C. §103(a) as allegedly

obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. Pub. No. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Nazarathy* (U.S. 6,490,727). The Examiner rejected Claims 93-94, 100, 104-106, 112, 116-117, and 123 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. Pub. No. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Hooper* (U.S. 5,414,455). The Examiner rejected Claims 95-99, 101-103, 107-111, 113-115, 118-122, and 124-126 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Hooper* (U.S. 5,414,455) and *Nazarathy* (U.S. 6,490,727). The Examiner rejected Claim 129 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Bowser* (U.S. 6,870,570). The Examiner rejected Claims 175-176 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Okano* (U.S. Pub. No. 2002/0062485). The Examiner rejected Claims 175-176 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Tseng* (U.S. 5,582,714). The Examiner rejected Claims 177 and 183 under 35 U.S.C. §103(a) as allegedly

obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Tseng* (U.S. 5,582,714) and *Na* (U.S. 6,993,785). The Examiner rejected Claims 178-180, 182, 184, and 186 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Na* (U.S. 6,993,785) and *Nazarathy* (6,490,727). The Examiner rejected Claims 187-188, 194, 198-199, and 215 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Sawyer* (U.S. 6,487,592). The Examiner rejected Claims 189-197 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Sawyer* (U.S. 6,487,592) and *Nazarathy* (U.S. 6,490,727). The Examiner rejected Claims 200 and 206 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Sawyer* (U.S. 6,487,592) and *Na* (U.S. 6,993,785). The Examiner rejected Claims 201-205, and 207-209 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Sawyer* (U.S. 6,487,592), *Na* (U.S. 6,993,785), and *Nazarathy* (U.S. 6,490,727). Lastly, the Examiner rejected Claims 248-

255 under 35 U.S.C. §103(a) as allegedly obvious over *Edson* (U.S. 6,526,581) in view of *Cameron* (U.S. 2005/0028206), *Tsang et al* (U.S. Pub. No. 2006/0212919), and *Schwartz* (U.S. Pub. No. 2009/0077647), and further in view of *Hirose* (U.S. Pub No. 2001/0049825). Independent Claims 1, 55, 72, 210, and 252-255 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited references for at least the reason that it recites, "determining whether the first CPE data device comprises an allowed medium access control (MAC) address, in response to determining that the first CPE data device does not comprise an allowed MAC address, determining whether MAC address configuration is enabled, and in response to determining that MAC address configuration is enabled, configuring the MAC address associated with the first CPE data device to be set to an allowed MAC address." Amended independent Claims 55, 72, 210, and 252-255 each include a similar recitation. Support for these amendments can be found in the specification at least in paragraphs [0216]-[0222].

In contrast, *Edson* does not disclose the aforementioned recitation. *Edson* merely discloses that a MAC address controls address-related sending and receiving functions. (*Edson*, col. 11, lines 61-44.) Nowhere does *Edson* mention the concept of configuring a MAC address according to allowed list. Rather, *Edson* merely discloses an interface for implementing MAC address related transmission functions.

*Cameron*, in turn, does not overcome *Edson's* deficiencies. *Cameron* merely discloses that a MAC address is a hardware address that uniquely identifies each node

of a network. (*Cameron*, para. [0088].) In *Cameron*, the MAC layer is defined as interfacing directly with the network media and the application discloses that each different type of network media requires a different MAC layer. (*Cameron*, para. [0088].) Like *Edson*, *Cameron* does not disclose configuring a MAC address according to allowed list. Rather, *Cameron* merely provides a standard definition of a MAC address.

Furthermore, *Tsang* does not overcome *Edson's* and *Cameron's* deficiencies. *Tsang* merely discloses that a MAC address a MAC address is established for both a Cable Modem (or other controlled device/network device) and a Main Board (controller). (*Tsang*, para. [0036].) As an example, *Tsang* discloses that the MAC address for the Cable Modem and Main Board may be numerically adjacent hardware addresses. (*Tsang*, para. [0036].) Like *Edson* and *Cameron*, *Tsang* nowhere discloses configuring a MAC address according to an allowed list. Rather, *Tsang* merely discloses two interrelated MAC addresses in a device.

Also, *Schwartz* does not overcome *Edson's*, *Cameron's*, and *Tsang's* deficiencies. *Schwartz* merely discloses a method for traversing a firewall. (*Schwartz*, Abstract.) *Schwartz* is silent regarding the concept of MAC addresses, and so cannot disclose configuring a MAC address according to allowed list.

Finally, *Hirose* does not overcome *Edson's*, *Cameron's*, *Tsang's*, and *Schwartz's* deficiencies. *Hirose* merely discloses that a cable modem's Ethernet interface has at least two registered MAC addresses. (*Hirose*, para. [0030].) A MAC address filter associated with the cable modem in *Hirose* filters traffic to and from the cable modem to those signals containing an appropriate source or destination MAC address. (*Hirose*,

para. [0031].) The cable modem maintains a list of MAC addresses associated with computers on the network in *Hirose* and routs packets according to those MAC addresses. (*Hirose*, para. [0033].) *Hirose's* cable modem is further disclosed as able to use the primary MAC address of the cable modem as the source MAC address for traffic coming from the other computers. (*Hirose*, para. [0036].) Nowhere, however, does *Hirose* disclose reconfiguring a MAC address assigned to a device in order to conform to an allowed list of addresses. Rather, *Hirose* merely discloses spoofing a source MAC address for outgoing traffic.

Combining *Edson*, *Cameron*, *Tsang*, *Schwartz*, and *Hirose* would not have led to the claimed invention because *Edson*, *Cameron*, *Tsang*, *Schwartz*, and *Hirose*, either individually or in combination, at least do not disclose "determining whether the first CPE data device comprises an allowed medium access control (MAC) address, in response to determining that the first CPE data device does not comprise an allowed MAC address, determining whether MAC address configuration is enabled, and in response to determining that MAC address configuration is enabled, configuring the MAC address associated with the first CPE data device to be set to an allowed MAC address," as recited by amended Claim 1. Amended independent Claims 55, 72, 210, and 252-255 each include a similar recitation. Accordingly, independent Claims 1, 55, 72, 210, and 252-255 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 55, 72, 210, and 252-255.

Dependent Claims 2, 4, 10-24, 56, 58, 73-114, 116-209, 211-215, and 236-251 are also allowable at least for the reasons described above regarding independent

Claims 1, 55, 72, and 210, and by virtue of their respective dependencies upon independent Claims 1, 55, 72, and 210. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2, 4, 10-24, 56, 58, 73-114, 116-209, 211-215, and 236-251.

### III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,  
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